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Response to Office Action of 01/13/2005

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 10, 11, 13, 22, and 23 have been amended. These amendments are not meant to narrow the scope of the amended claims.

Claims 1-27 are pending in this application.

Claim Objections

Claims 10, 11, and 13 have been amended to overcome an informal objection to the use of if-then statements, which were objected to because a condition could theoretically arise that was not covered by the conditional branching of these claims, resulting in the claims not further limiting their base claim. Claims 10, 11, and 13 have been revised to eliminate the conditional language. The amendments do not narrow the claims but merely restate the claim language to avoid if-then constructions.

Claim 24 was also objected to as including conditional if-then statements, however, no condition can arise that is not covered by one of the conditions in the claim. Applicant point out that a method claim should be able to reflect a conditionally branching process.

Claim Rejections**Rejection under 35 USC § 102(b)**

The Patent Office rejected claims 22 and 23 under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,682,486 to Grossman et al. (the "Grossman reference" or "Grossman"). Applicant respectfully submits that these claims are now patentable over the Grossman reference.

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Claim 22

Although Applicant respectfully disagrees with the Office's characterization of the Grossman reference, Applicant nonetheless amends claim 22 to more particularly point out and distinctly claim the subject matter. The current amendment does not narrow the subject matter but merely adds clarity to claim 22.

Applicant's claim 22, as amended, defines a data stream structure, comprising:

region data describing geometry of a visual region to be remotely displayed, wherein the region data recurs at regular intervals in the data stream to update the geometry; and

graphics data describing visual content of the visual region, wherein the graphics data recurs at the regular intervals to update the visual content and wherein the region data of each regular interval precedes the graphics data of the corresponding regular interval in the data stream structure.

The Grossman reference does not expressly or inherently show or disclose a data stream in which "region data recurs at regular intervals in the data structure to update the geometry." Likewise, the Grossman reference does not show or disclose a data stream in which "graphics data recurs at the regular intervals to update the visual content and wherein the region data of each regular interval precedes the graphics data of the corresponding regular interval in the data stream structure."

Applicant further respectfully disagrees with the Office's conclusion that the Grossman "region data is synchronously gathered with the graphics data in that the two are obtained for transmission once they are moved into a designated region on the display" (Office Action, page 3) (emphasis added).

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Not only does the Grossman reference not disclose gathering region data in synchronicity with graphics data, the Grossman reference does not disclose gathering region data at all. In Grossman, the source visual region on a (sending) computer is called "the transport region 210" (c.g., col. 3, line 57). The remotely displayed rendition of Grossman's source transport region 210 (as displayed on a local monitor) is called the "location 260...on the target monitor 240" or the "target position 261 of the item on the target (or destination) monitor 240" (col. 3, lines 41-42; col. 4, lines 1-2). This "target position" 261 is denoted in Grossman's Fig. 2 by "(x, y)." Grossman's "target position 261" (the (x, y)) does not read on Applicant's "region data" because Grossman's target position 261 is not position data or geometry data derived from Grossman's source "transport region 210." Rather,

"the location of the target position 261 of the item on the target (or destination) monitor 240 may be controlled by a user profile 270 in memory storage 120. This can be accomplished, for example, with a user profile 270 containing identifying numbers associated with items(s) 160 and an x, y location for the target position of the item(s) 260 on the target monitor 240" (col. 3, line 67-col. 4, line 7) (emphasis added).

Thus, the "gathering" of the Grossman target position 261 is merely a retrieval of static screen coordinates from a user profile in memory and accordingly the Grossman target position 261 can be completely divorced from Grossman's source transport region 210. In other words, there is no region data (as used and defined by Applicant) in Grossman for at least two reasons. First, the geometry (c.g., screen position and shape) of a Grossman transport region 210 (source visual region) is not necessarily associated with a Grossman target position 216 (destination visual region). Second, Grossman does not disclose a moving and changing visual region on a source device that can be

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remotely displayed via region data as a moving and changing visual region on a remote device. (Grossman discloses animated objects that move, but this is graphics data content, not region data.) Thus, Grossman is a conventional example of two instrumentations working more or less independently of each other under different clocks or schedules to asynchronously collect graphics data and static location data (as described in Applicant's background section, page 3 of specification).

Thus, the Grossman reference does not describe each element of claim 22 and Applicant respectfully points out the claim 22 should be allowable over Grossman.

Claim 23

Claim 23 is also amended to more particularly point out and distinctly claim the subject matter. The current amendment does not narrow the subject matter but adds clarity to claim 23.

For at least the reasons set forth above with respect to claim 22, Applicant submits that claim 23 is also patentable over the Grossman reference. Dependent claims contain the language of the claims from which they depend. Claim 23 depends from base claim 22, and should therefore be allowable.

Additionally, Grossman does not show or disclose all the elements of claim 23, such as the element "region data and the graphics data for each regular interval are gathered in synchronicity with each other." Thus, claim 23 should be allowable over Grossman.

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Rejection under 35 USC § 103(a)

The Patent Office rejected claims 1, 7, 8, 9, 14, 19, 20, 21, 24, 25, and 26 under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,437,803 to Panasyuk et al. (the "Panasyuk reference") in view of the Grossman reference. Applicant respectfully submits that these claims are patentable over Panasyuk in view of Grossman.

The Office rejects claims 10-13 under 35 USC § 103(a) as being unpatentable over Panasyuk in view of Grossman further in view of U.S. Patent No. 5,491,780 to Fyles et al. (the "Fyles reference"). Applicant respectfully submits that these claims are patentable over Panasyuk in view of Grossman further in view of Fyles.

The Office rejects claims 2-6, 15, and 27 under 35 USC § 103(a) as being unpatentable over Panasyuk in view of Grossman further in view of U.S. Patent No. 6,304,895 to Schneider et al. (the "Schneider reference"). Applicant respectfully submits that these claims are patentable over Panasyuk in view of Grossman, further in view of Schneider.

The Office rejects claims 16, 17, and 18 under 35 USC § 103(a) as being unpatentable over Panasyuk in view of Grossman, further in view of Schneider, further in view of U.S. Patent No. 5,461,716 to Eagen et al. (the "Eagen reference"). Applicant respectfully submits that these claims are patentable over Panasyuk in view of Grossman further in view of Schneider further in view of Eagen.

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Claim 1

Claim 1 defines a method, comprising:

synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region;

synchronously gathering graphics data for the region, wherein the graphics data describe visual content of the region; and

sending the region data and the graphics data to a client while maintaining synchronicity between the region data and the graphics data.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4).

Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region," as explained above with respect to claim 22. Grossman does not teach or suggest region data that describe a changing shape and a changing position of a server desktop region displayed remotely on a client display. Rather, Grossman teaches "a location 260 to which the icon (graphical image) is transported on the target monitor 240" retrieved instead from a user profile, which can exist as a data file (col. 3, lines 36-43).

Thus, Grossman does not add anything to the missing teaching of Panasyuk. Panasyuk and Grossman, alone or in combination, fail to teach or suggest the features of Applicant's claim 1. Hence the combination of Panasyuk and Grossman fails. Applicant therefore suggests that claim 1 is patentable over Panasyuk in view of Grossman.

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Claims 7, 8, 9, and 14

Claims 7, 8, 9, and 14 were also rejected as being unpatentable over Panasyuk in view of Grossman. For at least the reasons set forth above with respect to claim 1, Applicant submits that claims 7, 8, 9, and 14 are also patentable over Panasyuk in view of Grossman. Dependent claims contain the language of the claims from which they depend. Claims 7, 8, 9, and 14 depend from base claim 1, and should therefore be allowable.

Claim 19

Claim 19 defines a synchronized data receiver, comprising:

- a region subsystem to receive region data synchronized with graphics data and to designate a region of a client display based on the region data; and

- a graphics subsystem to receive the graphics data synchronized with the region data and to display graphics in the region based on the graphics data.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4) and thus does not teach or suggest a subsystem to do the same.

As explained above with respect to claim 1, Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region" and thus does not teach or suggest a subsystem to do the same.

Grossman does not add anything to the missing teaching of Panasyuk. Panasyuk and Grossman, alone or in combination, fail to teach or suggest the

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features of Applicant's claim 19. Hence the combination of Panasyuk and Grossman fails. Applicant therefore suggests that claim 19 is patentable over Panasyuk in view of Grossman.

Claims 20 and 21

Claims 20 and 21 were also rejected as being unpatentable over Panasyuk in view of Grossman. For at least the reasons set forth above with respect to claim 19, however, Applicant submits that claims 20 and 21 are also patentable over Panasyuk in view of Grossman. Dependent claims contain the language of the claims from which they depend. Claims 20 and 21 depend from base claim 19, and should therefore be allowable.

Claim 24

Claim 24 defines a method, comprising:

synchronously gathering region data and graphics data for a visual region of a computing server display to be remotely displayed on a client display;

if bandwidth is sufficient for sending the region data and the graphics data to the client, then sending the region data and the graphics data to the client, wherein a region datum is synchronicity with a graphics datum is sent before the graphics datum;

if bandwidth is not sufficient for sending the region data and the graphics data to the client, then

if the client owns an entirety of information displayable on the computing server display, then sending only graphics data describing the entire visual content of the computing server display; but

if the client does not own an entirety of information displayable on the computing server display, then

if visual content of the visual region can be truncated, then selecting a smaller visual region inscribed in the visual region and sending synchronized region data and synchronized graphics data associated with the smaller visual region, but

if the visual content of the visual region cannot be truncated, then selecting a larger visual region circumscribing the visual

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region, sending synchronized region data and synchronized graphics data associated with the larger visual region, and resizing visual content of the visual region to fit the larger visual region.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4).

As explained above with respect to claim 1, Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region."

Grossman does not add anything to the missing teaching of Panasyuk. Panasyuk and Grossman, alone or in combination, fail to teach or suggest the features of Applicant's claim 24. Hence the combination of Panasyuk and Grossman fails. Applicant therefore suggests that claim 24 is patentable over Panasyuk in view of Grossman.

Claim 25

Claim 25 defines computing device readable media containing instructions that are executable by a computing device to perform actions comprising:

synchronously gathering region data for displaying a visual region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region;

synchronously gathering graphics data for the visual region to obtain synchronized region data and synchronized graphics data, wherein the synchronized graphics data describe a visual content of the visual region; and

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sending the synchronized region data and the synchronized graphics data to the client while maintaining synchronicity between the region data and the graphics data.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4).

As explained above with respect to claim 1, Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region."

Grossman does not add anything to the missing teaching of Panasyuk. Panasyuk and Grossman, alone or in combination, fail to teach or suggest the features of Applicant's claim 25. Hence the combination of Panasyuk and Grossman fails. Applicant therefore suggests that claim 25 is patentable over Panasyuk in view of Grossman.

Claim 26

Claims 26 was also rejected as being unpatentable over Panasyuk in view of Grossman. For at least the reasons set forth above with respect to claim 25, however, Applicant submits that claim 26 is also patentable over Panasyuk in view of Grossman. Dependent claims contain the language of the claims from which they depend. Claim 26 depends from base claim 25, and should therefore be allowable.

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Claim 15

Claim 15 was rejected under 35 USC § 103(a) as being unpatentable over Panasyuk in view of Grossman further in view of Schneider. Claim 15 defines a remoting synchronization engine, comprising:

a region data gathering module to synchronously gather region data describing a region of a display desktop to be remotely displayed on a client, wherein the region data describe a shape and a desktop position of the region;

a graphics data gathering module to synchronously gather graphics data, wherein the graphics data describe a visual content of the region; and

a display driver to collect the synchronously gathered region data and the synchronously gathered graphics data and to send the region data and the graphics data to the client while maintaining synchronicity between the region data and the graphics data.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4) and thus does not teach or suggest a region data gathering model to do the same.

As explained above with respect to claim 1, Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region" and thus does not teach or suggest a module to do the same.

Schneider teaches sampling a whole screen of data and drawing the whole captured screen to a local screen using WINDOWS® GDI calls (col. 6, line 65-col. 7, line 2). However, a whole screen is hardly a moving region of the screen, and thus Schneider does not teach or suggest a display driver that can gather

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Applicant's "region data" let alone that can gather such region data in synchronicity with graphics data in the region, such that if the region moves or changes shapes, the graphics of the region associated with an earlier point in time are correctly limited by the borders of the currently shaped and currently positioned region.

Schneider, therefore, does not add anything to the missing teaching of Panasyuk and Grossman. Schneider, Panasyuk, and Grossman, alone or in combination, fail to teach or suggest the features of Applicant's claim 15. Hence the combination of Panasyuk, Grossman, and Schneider fails. Applicant therefore suggests that claim 15 is patentable over Panasyuk in view of Grossman further in view of Schneider.

Claim 27

For at least the reasons set forth further above with respect to claim 25, Applicant submits that claim 27 is also patentable. Dependent claims contain the language of the claims from which they depend. Claim 27 depends from base claim 25, and since claim 25 is allowable claim 27 should be allowable too.

Claim 27 was also rejected over a combination of Panasyuk, Grossman, and Schneider. However, as explained above with respect to claim 15, Schneider does not teach or suggest a display driver that can gather Applicant's "region data" let alone that can gather such region data in synchronicity with graphics data in the region. Schneider, therefore, does not add anything to the missing teaching of Panasyuk and Grossman. Panasyuk, Grossman, and Schneider, alone or in combination, fail to teach or suggest the features of Applicant's claim 27. Hence the combination of Panasyuk, Grossman, and Schneider fails. Applicant therefore

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suggests that claim 27 is patentable over Panasyuk in view of Grossman further in view of Schneider.

Claims 10, 11, 12, 13

For at least the reasons set forth further above with respect to claim 1, Applicant submits that claims 10, 11, 12, and 13 are also patentable. Dependent claims contain the language of the claims from which they depend. Claims 10, 11, 12, and 13 depend from allowable base claim 1, and should therefore be allowable.

Claims 10, 11, 12, and 13 were also rejected over a combination of Panasyuk in view of Grossman, and further in view of Fyles.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4) and thus does not teach or suggest a region data gathering model to do the same.

As explained above with respect to claim 1, Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region" and thus does not teach or suggest a module to do the same.

Fyles teaches techniques for solving low bandwidth by sending only those areas of a screen that have been modified since the last transmission (col. 1, lines 64-67), but does not teach or suggest synchronizing current region data for a moving and changing region of the screen with the current graphics data for the currently positioned and shaped region. Thus, Fyles does not supply the missing teaching of Panasyuk and Grossman. Panasyuk, Grossman, and Fyles, alone or in

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combination, fail to teach or suggest the features of Applicant's claims 10, 11, 12, and 13. Hence the combination of Panasyuk, Grossman, and Fyles fails. Applicant therefore suggests that claims 10, 11, 12, and 13 are patentable over Panasyuk in view of Grossman further in view of Fyles.

Claims 16, 17, and 18

For at least the reasons set forth further above with respect to claim 15, Applicant submits that claims 16, 17, and 18 are also patentable. Dependent claims contain the language of the claims from which they depend. Claims 16, 17, and 18 depend from allowable base claim 15, and should therefore be allowable.

Claims 16, 17, and 18 were also rejected over a combination of Panasyuk in view of Grossman, further in view of Schneider, further in view of Eagen.

As the Office notes, Panasyuk does not teach or suggest synchronously gathering the region and graphics data and sending the data to a client while maintaining synchronicity between the region and graphics data (Office Action page 4) and thus does not teach or suggest a region data gathering model to do the same.

As explained above with respect to claim 1, Grossman also does not teach or suggest "synchronously gathering region data for displaying a region of a server desktop remotely on a client display, wherein the region data describe a shape and a position of the region" and thus does not teach or suggest a module to do the same.

Schneider does not teach or suggest a display driver that can gather Applicant's "region data" let alone that can gather such region data in synchronicity with graphics data in the region, such that if the region moves or

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changes shapes, the graphics of the region at an earlier point in time are correctly limited by the borders of the currently shaped and currently positioned region.

Eagen teaches adoption of common user access rules for dependent "dumb" workstations that have only enough hardware to enable operator interaction through a keyboard and a display screen for communicating simple information and commands (col. 5, lines 5-7; col. 2, lines 19-27). Although Eagen also teaches presenting and removing windows from a host terminal to a workstation, Eagen does not teach or suggest gathering a window's region data in synchronicity with graphics data in the region, such that if the region moves or changes shapes, the graphics of the region associated with an earlier point in time are correctly limited by the borders of the currently shaped and currently positioned region.

Thus, Eagen does not supply the missing teaching of Panasyuk, Grossman, and Schneider. Panasyuk, Grossman, Schneider, and Eagen, alone or in combination, fail to teach or suggest the features of Applicant's claims 16, 17, and 18. Hence the combination of Panasyuk, Grossman, Schneider, and Eagen fails. Applicant also notes that needing to combine so many references to reach an obviousness rejection can itself suggest that the claim is nonobvious. Applicant therefore suggests that claims 16, 17, and 18 are patentable over Panasyuk in view of Grossman, further in view of Schneider, further in view of Eagen.

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CONCLUSION

Applicant respectfully suggests that claims 1-27 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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